

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-7353**

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EMORY ALVIN MICHAU,

Plaintiff - Appellant,

versus

BRUCE ORR, Detective, Charleston County Sheriff's Office; JERRY JELLICO, Detective, Charleston County Sheriff's Office; MR. TANNER, Detective, Charleston County Sheriff's Office; MR. FIELDS, Detective, Charleston County Sheriff's Office; JACK GUEDALIA, Magistrate of Charleston County; SERGEANT TAGUE, Charleston County Sheriff's Office; DETECTIVE BUHLE, Charleston County Sheriff's Office; DETECTIVE HALE, Charleston County Sheriff's Office; DETECTIVE TITTLE, Charleston County Sheriff's Office; LEROY LINEN, Magistrate of Charleston County,

Defendants - Appellees.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. Solomon Blatt, Jr., Senior District Judge. (CA-96-442-2-8-AK, CA-96-443-2-8-AK)

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Submitted: November 21, 1996

Decided: December 6, 1996

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Before HALL, WILKINS, and HAMILTON, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Emory Alvin Michau, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Appellant appeals the district court's order denying his motion to appoint counsel and adopting the magistrate judge's recommendation to dismiss two Defendants with prejudice in this action filed under 42 U.S.C. § 1983 (1994). We dismiss the appeal for lack of jurisdiction because the order is not appealable. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (1994), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (1994); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order here appealed is neither a final order nor an appealable interlocutory or collateral order.

We deny Appellant's motion for enlargement of the record and dismiss the appeal as interlocutory. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED